AP6 Rec'd PCT/PTO 28 SEP 2006

PATENT DOCKET 207,513

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Van Der Ark et al.

Examiner: Not Yet Assigned

Serial no.:

10/573,348

Group Art Unit: Not Yet Assigned

Filed:

March 23, 3006

Title:

BEVERAGES AND FOODSTUFFS RESISTANT TO LIGHT

INDUCED FLAVOR CHANGES, PROCESS FOR MAKING THE

SAME, AND COMPOSITIONS FOR IMPARTING SUCH

RESISTANCE

STATEMENT OF FILING BY EXPRESS MAIL 37 C.F.R. § 1.10

This correspondence is being deposited with the United States Postal Service on September 28, 2006 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number ER059676388US addressed to the Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450.

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NON-PROVISIONAL APPLICATION

Mail stop Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Date: September 28, 2006

REMARKS

In response to the Notice to File Missing Parts of September 21, 2006 (copy enclosed) in above-captioned application, enclosed is a Declaration and Power of Attorney, executed by all of the inventors. The surcharge for late filing of the Declaration in the amount of \$130.00 is included in the check submitted herewith.

10/06/2006 MKAYPAGH 00000062 10573348

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130.00 OP

Jay S. Cinamon
Attorney for Applicants

Respectfully submitted.

Reg. No. 24,156



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

ATTY. DOCKET NO. U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT 207513 Richard Van Der Ark 10/573,348

INTERNATIONAL APPLICATION NO.

PCT/NL04/00675

I.A. FILING DATE 09/29/2004

PRIORITY DATE 09/29/2003

Jay S.Cinamon abelman, Frayne & Schwab 666 Third Avenue, 10 th Floor New York, NY 10017

CONFIRMATION NO. 8777 371 FORMALITIES LETTER

OC000000020467971

Date Mailed: 09/21/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/24/2006
- Copy of the International Search Report filed on 03/24/2006
- Preliminary Amendments filed on 03/24/2006
- Oath or Declaration filed on 03/24/2006
- Request for Immediate Examination filed on 03/24/2006
- U.S. Basic National Fees filed on 03/24/2006
- Priority Documents filed on 03/24/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$-70 for a Large Entity:

• \$130 Surcharge.

(A previous payment of \$200 will be applied to the additional fees indicated above.)

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/573,348	PCT/NL04/00675	207513

FORM PCT/DO/EO/905 (371 Formalities Notice)